

Amendments from the Judiciary: 39, 87, 106, 123, 151, 156, 176, 335, 340, 341, 342, 343, 344, 345, 346, 347, 349, 350, 352, 362, 363, 364, 365, 375, 431, 514, 603, 626, 627, 630, 631, 645, 659, 706, 707, and 847.

Amendments from the Public Safety: 9, 21, 22, 26, 90, 109, 144, 163, 164, 165, 166, 184, 198, 199, 219, 225, 226, 227, 228, 229, 243, 246, 253, 257, 258, 260, 276, 311, 312, 319, 394, 402, 426, 436, 439, 441, 462, 479, 484, 524, 525, 539, 540, 558, 559, 560, 569, 592, 606, 628, 663, 664, 667, 669, 670, 675, 709, 742, 750, 817, 819, 857, and 858.

Mr. Murphy of Burlington and others move to amend H.4600 in section 2, in item 0340-1100 by adding the following: “; and provided further, that funds shall be expended for the operation and management of the Berkshire County Drug Task Force”.

And further amend the bill in section 2, in item 0330-0300, by inserting after the words “guardian ad litem services;” the words:- “provided further, that notwithstanding any general or special law to the contrary, the chief justice for administration and management shall submit a report to the joint committee on the judiciary and the house and senate committees on ways and means 120 days prior to the temporary closure or temporary relocation of courthouses; and provided further, that said report shall include, but not be limited to, the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court and other factors that may affect implementation of said temporary closure;”.

And further amend the bill in section 2, by inserting after item 1599-7104 the following item:-

1599-1701      For a reserve for the state share of costs to certain municipalities and municipal lighting plants as identified by the Federal Emergency Management Agency for Emergency Declaration 3296 relating to the December 2008 severe winter storm, for the counties of Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester..... \$6,300,000

And further amend the bill in section 2, by striking item 8324-0000 and inserting in place thereof the following item:-

8324-0000      For the administration of the department of fire services, including the state fire marshal’s office, the hazardous materials emergency response program, the board of fire prevention regulations established by section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission, and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training, and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that the amount allocated for programs providing information about the fire risks caused by smoking, regional dispatch centers, critical incident stress intervention programs, and fire department training academies listed in this item in chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2011; provided further, that the amount allocated for hazardous material response teams specifically listed in this

item in chapter 27 of the acts of 2009 shall be allocated to each program in fiscal year 2011; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office and the Massachusetts firefighting academy, shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the operation of the hazardous materials emergency response program shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program..... \$16,661,169

And further amend the bill in section 2, by striking item 8800-0200 and inserting in place thereof the following item:-

8800-0200      For the Radiological Emergency Response Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 27 of the acts of 2009 shall be allocated to the program or its successor again and shall not be reduced by more than 25 per cent in fiscal year 2011; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, "electric companies" shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants ..... \$337,003

And further amend the bill in section 2, by striking item 8900-0001 and inserting in place thereof the following item:-

8900-0001      For the operation of the commonwealth's department of correction; provided, that before closing any correctional facility, the commissioner of corrections and the secretary of public safety and homeland security shall report to the house and senate committees on ways and means and public

safety on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, the commissioner of corrections and the secretary of public safety and homeland security shall report to the house and senate committees on ways and means and public safety before January 1 of each year the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided further, that not less than \$200,000 shall be expended for the Aid to Incarcerated Mothers Program; and provided further, that in an effort to monitor and reduce current levels of over-classification, the department of correction shall provide quarterly reports to the joint committee on public safety and the house and senate committees on ways and means with data on the number of prisoners at each security level..... \$505,239,805

And further amend the bill in section 2, by inserting after item 8910-0445 the following item:-

8910-0446      For the Berkshire sheriff's department which may expend an amount not to exceed \$1,000,000 from revenues collected from the city of Pittsfield public school system; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system; and provided further, that expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system ..... \$1,000,000

And further amend the bill in section 2, by inserting after item 8910-0445 the following item:-

8910-0447      For the Berkshire sheriff's department which may expend an amount not to exceed \$50,000 to match revenues collected from the city of Pittsfield public school system for the operation of the Juvenile Resource Center; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system; and provided further, that expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... \$50,000

And further amend the bill in section 2 in item 8910-1000, by striking out the figures "\$1,844,458" and inserting in place thereof the figures "\$2,005,423".

And further amend the bill in section 2, in item 8910-1112, by striking the figures "\$175,000" and inserting in the place thereof the figures "\$250,000".

And further amend the bill by adding the following 3 sections:-

SECTION XX. Section 3 of chapter 32, as appearing in the 2008 Official Edition, is hereby amended by inserting after the words “district attorneys”, in line 300, the following words:- “; provided, however, that district attorneys elected on or after July 1, 2010 shall be employed in such capacity for 10 years or more;”.

SECTION XX. Section 65D of said chapter 32, as so appearing, is hereby amended by inserting after the word “office”, in line 5, the following words:- “and a chief justice or any associate justice of the supreme judicial court”.

SECTION XX. Notwithstanding and general or special law to the contrary the administrative office of the trial court shall terminate the property lease at Two Center Plaza, Tremont street in the city of Boston, effective January 1, 2011, and shall be relocated to the Charlestown division of the Boston municipal court; provided, that no funding may be expended for lease costs at Two Center Plaza, Tremont street, in the city of Boston after January 31, 2011 from any item of appropriation in the department of the trial court. The division of capital asset management shall oversee the relocation and refurbishing of the premises at Charlestown district court to accommodate offices of the administrative office of the trial court.